

Local Agency Formation Commission
Of Modoc County
Regular Meeting

Minutes of June 9, 2009

1. Call to Order:

Chairman Dederick called the meeting to order at 5:03 pm, in the City Council Chambers, Alturas City Hall. Commissioners Dederick, Neer, and Macsay were present. Commissioner Alternate Bullock and Commissioner Alternate Public Member Jerry Shea were also present.

Staff Present: John Benoit, Executive Officer and Stephanie Roddy, Interim Clerk

Pledge of Allegiance

2. Approval of Agenda:

Commissioner Macsay made the motion to approve the agenda as submitted; seconded by Commissioner Neer. All in favor: Unanimous.

3. Correspondence:

John Benoit: A letter was received before the meeting from the Save Our Hospital Committee requesting that they be granted an extension of the one-year time limit placed on the approval by the Commission for the process of forming a hospital district. He recommends that the extension be granted for an additional two years, which would be an acceptable time-frame for the completion of this type of process.

Commissioner Macsay: requested that this request be placed on the agenda for the next meeting.

4. Approval of Minutes: April 14, 2009

Commissioner Macsay made the motion to approve the minutes of April 14, 2009 as submitted; seconded by Commissioner Neer. All in favor: Commissioners Macsay, Neer and Dederick. Abstain: Commissioner Alternate Bullock.

5. Public Comment: Members of the public may address the Commission on matters under its jurisdiction that are not on the agenda. The Commission may limit the public comment to three minutes. The Commission may not render any decisions other than those items that are contained on the agenda; the public may request an item to be placed on a subsequent agenda.

None.

6. Appoint Public Member for a term expiring in May 2013:

- a. The Commission received one applicant for the public member: Marie Neer*
- b. Appoint public member for a term expiring in May 2013.*

Commissioner Macsay made the motion to appoint Marie Neer as public member for a term expiring in May 2013; seconded by Commissioner Alternate Bullock. All in favor: Commissioners Macsay, Bullock and Dederick. Abstain: Commissioner Neer.

7. Commissioner Meeting Stipends:

- a. Receive Executive Officer's report and consider Resolution 2009-03 establishing meeting*

stipends for LAFCO Commissioners at \$100.00 per meeting.

John Benoit presented a brief staff report on the various stipends or lack thereof throughout Northern California.

Commissioner Schreiber entered the meeting during this discussion.

Jerry Shea: doesn't do what he does for the community expecting pay; thinks that with the state, county and city governments going through hard times financially, this is not a good thing to do right now, that it is inappropriate.

Commissioner Schreiber made the motion to approve Resolution 2009-03 establishing meeting stipends for LAFCO Commissioners at \$100.00 per meeting; seconded by Commissioner Neer.

Commissioner Macsay: referenced the discussion from the previous meeting regarding stipends – increases the feeling of responsibility to attend and participate...

Commissioner Dederick: shares feelings with Shea; however, this is a legislative body that carries a lot of authority and responsibility.

John Benoit: LAFCO authority is greater than the Planning Commission.

Commissioner Macsay: the County has been struggling with the budget and when compared with the amount of money going out, \$4,800 might not seem like much, but it all adds up.

Jerry Shea: the bottom line for the budget does not change, but it's still \$2,400 each from the City and County funds.

Commissioner Schreiber: it's not our fault the state is in the shape it's in; volunteer work never works as well as paid work, you have a stronger obligation.

Jerry Shea: one positive is that payment is only given if you attend.

Commissioner Dederick: and special meetings are paid for by the applicant.

A roll-call vote was taken. In favor: Commissioners Dederick, Schreiber, Neer and Bullock. Opposed: Commissioner Macsay.

8. Conduct Public Hearing on Alturas Municipal Service Review:

a. Receive Executive Officer's Report and consider Resolution 2009-04 approving and adopting a Municipal Service Review for services provided by the City of Alturas.

John Benoit: the MSR serves as the basis for the SOI update, which will be on the agenda soon; the City and County should meet to discuss the SOI – if no agreement is reached, the Commission moves forward as it sees fit, if an agreement is reached, the Commission must give great weight to the decision; the City agrees with the SOI so the next step is for the City and County to meet; this process isn't the same for the districts; all requested changes have been made/comments incorporated.

Commissioner Dederick: if in the near future an amendment is needed, can we do that?

John Benoit: yes, we could just take it up; wants to get the SOI done asap; have to remember that the SOI is subject to CEQA, it could be exempt, but if not \$1,900-\$2,500 in DFG fees are due which was not budgeted.

There was a general discussion regarding the DFG fees/taxes.

Commissioner Dederick: so the MSR is the precursor of the SOI?

John Benoit: yes, and it can always be amended when the SOI comes up; will clean it up at that time if necessary.

Commissioner Macsay made the motion to approve Resolution 2009-04 approving and adopting a Municipal Service Review for services provided by the City of Alturas; seconded by Commissioner Schreiber. A roll-call vote was taken. In favor: Commissioners Schreiber, Neer, Macsay and Bullock. Opposed: None.

9. Public Hearing on 2009-2010 Final LAFCO Budget:

a. Receive Executive Officer's report and consider Resolution 2009-05 approving and adopting the final LAFCO Budget for FY 2009-2010.

John Benoit: the report reflects the conclusion reached from the proposed budget; the City and County shares are going down and the budget is going up, due to frugality by the Commission.

Commissioner Macsay made the motion to approve Resolution 2009-05 approving and adopting the final LAFCO Budget for FY 2009-2010; seconded by Commissioner Bullock. A roll-call vote was taken. In favor: Commissioners Schreiber, Neer, Macsay and Bullock. Opposed: None.

10. Review and Authorize Payment of Claims:

a. Ratify payment of claims for April 2009 and authorize payment of claims for May 2009:

Commissioner Macsay made the motion to ratify payment of claims for April 2009 and authorize payment of claims for May 2009; seconded by Commissioner Neer. All in favor: Unanimous.

Commissioner Macsay: wanted to note that John does an excellent job compared to the past, thank you and we appreciate it.

Commissioner Dederick: also appreciate the education John has given us.

11. Annual Contract for Staff Services:

a. Consider Contract for Staff Services.

Commissioner Macsay: is this the same contract?

John Benoit: it is the same as last year, with dates changed; the Commission has the right to do an evaluation and he would prefer it to be done.

Commissioner Schreiber: we started doing evaluations three years ago and it really opens communication more; it's to everyone's advantage.

Commissioner Neer: need to set a date for an evaluation? Do you have a form?

John Benoit: it can be done at the next meeting; has a very basic form available, if needed.

Commissioner Macsay made the motion to approve the Contract for Staff Services as submitted; seconded by Commissioner Schreiber. All in favor: Unanimous.

12. Calafco Staff Workshop:

John Benoit: attended sessions regarding: various LAFCO's do various things, but in some cities there is a trend toward large open spaces – some LAFCO's are opposed to this; a conservation easement is recorded so that the cities don't develop the land; annexations that deal with agricultural lands are affected by the Map Act, Williamson Act, CEQA and the CKH; jurisdictions in financial distress, causes and solutions.

13. Calafco Nomination Process:

a. Receive report from Executive Officer.

John Benoit reviewed what Calafco is; current issues being faced, such as the viability of local government agencies, ag land and open space protection, water availability (and wastewater), authority of LAFCOs (this is expanding and can lead to legal issues if not understood), housing, transportation and flood control; programs and activities offered, including annual conferences, staff workshops, CALAFCO University; there are 15 members elected for 2-year terms; no one from Modoc has ever served.

14. Executive Officer's Monthly Report – General Discussion:

Annual Conference – October 28-30; there is money budgeted for 1 or 2 commissioners to go; will need to know in August who would want to go; encourages someone to attend.

Calafco Strategic Plan – talked about this before with issues faced by Calafco.

15. Commissioner Reports – Discussion:

Commissioner Neer: has mixed feelings about the stipend – is it possible to refuse the stipend?

John Benoit: he understands that it cannot be refused, but can be donated.

The next meeting will be held August 11, 2009 at 5:00 pm.

There being no further business to come before this Commission, the meeting was adjourned at 6:13 pm.